

January 2003

OSD(HA), TMA eBPS

Highlights

- ◆ HIPAA Privacy Rule
- ◆ HIPAA Privacy Implementation Activities
- ◆ Resources
- ◆ Be On the Lookout For ...
- ◆ How Lead Agents Can Help
- ◆ Points of Contact

HIPAA PROGRAM OFFICE

Skyline 5, Suite 810
5111 Leesburg Pike
Falls Church, VA
22041-3206
Ph: 703-681-5611
Fax: 703-681-8845

TMA HIPAA Website:
www.tricare.osd.mil/hipaa

E-Mail:
hipaamail@tma.osd.mil



HIPAA - Privacy - Project Status

TRICARE Management Activity, Electronic Business Policy & Standards

HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT OF 1996 (HIPAA)

HIPAA Privacy Rule

The Military Health System (MHS) must be in compliance with the Health Insurance Portability and Accountability Act (HIPAA) Privacy Rule by April 14, 2003. The HIPAA Rule protects the use and disclosure of protected health information (PHI), i.e., individually identifiable health information, including demographics. PHI may be in paper, electronic or verbal medium. The rule requires the MHS to inform the patient of how his or her PHI is being used, provides various patient rights, and restricts information used and disclosed to the "minimum necessary."

HIPAA Privacy Implementation Activities

Department of Defense (DoD) Health Information Privacy Regulation: The final Regulation is in coordination in TMA for signature. Suggestions and templates for policies and procedures that will result from implementation of the Regulation are available through Service representatives as well as posted to the TMA HIPAA website.

MHS Notice of Privacy Practices: The Notice of Privacy Practices (NoPP) explains how the MHS may use and disclose patients' personal health information. An MHS-wide standard document has been drafted and approved by TMA for distribution. The Rule requires the MHS to make a 'good faith effort' to provide the NoPP to each beneficiary. This will be accomplished by a mass mailing December 2002 – March 2003. Patients will be asked to acknowledge receipt of the NoPP when they present to a military treatment facility (MTF). Acknowledgement will be documented by the patient's signature on a label placed on the medical record jacket. Electronic capture of acknowledgement will be developed in the future.

HIPAA Privacy Officers: MTF HIPAA Privacy Officers have been appointed as required by the HIPAA Privacy Rule. Lead Agent HIPAA Privacy Officer roles and responsibilities and a request for appointment are in process.

Training and Compliance Monitoring: The Rule mandates the training of the entire workforce on the protection of health information. MTF HIPAA Privacy Officers and Lead Agents were trained September 2002. The training materials are available on the TMA HIPAA website. Participants were provided a HIPAA Privacy overview and instruction on the operation of web based training and compliance tools to be deployed by TMA. Since the September training, downloadable training and compliance information has been provided to allow the MTFs to begin the processes at the local level while the technical details of the tool roll-out are being coordinated. A second phase of training that focuses on hands-on practice with the tools is planned for February 2003.

Contract Modifications: Managed care support contract (MCSC) modifications were issued the week of 12 August 2002. Publication of the modification was accomplished in September 2002. TMA is currently working with the MCSCs on finalizing proposals and the initial risk assessments.



Resources-www.tricare.osd.mil/hipaa

- **Notice of Privacy Practices:** Nine languages, Large Print, Audio Summary and Braille
- **Pamphlet:** Focuses on the Notice of Privacy Practices (NoPP) and encourages the beneficiary to ensure he/she has acknowledged receipt
- **Poster:** For display at MTFs to communicate local HIPAA Privacy Officer contact information
- **Information Papers:** Provides an explanation of various HIPAA Privacy elements and facts.
- **2002/2003 HIPAA Privacy Awareness and Training Conference:** Materials posted
- **Privacy Officer Appointment Letter:** Describes roles and responsibilities
- **Communities of Interest Briefs:** For line leadership, beneficiaries, law enforcement, and personnel
- **FAQs/Q&As:** For various topics

Be On the Lookout for ...

- Final DoD Health Information Privacy Regulation
- MCSC Modifications
- Drop shipments of marketing materials to MTFs

How Lead Agents Can Help

- Identify regional HIPAA Privacy POC
- Review DoD Health Information Privacy Regulation
- Act as a resource for MTF HIPAA Privacy Officers
- Coordinate resolution of MCSC issues regarding HIPAA Privacy implementation

Points of Contact

TMA HIPAA Privacy Project Officer:	CDR Sam Jenkins ph 703-681-5611, ext 6824 Sam.Jenkins@tma.osd.mil
TMA Office of General Counsel:	Paul Bley ph 703-681-6012 Paul.Bley@tma.osd.mil
Army Representative:	LTC Marta Davidson ph 210-221-7855 Marta.Davidson@cen.amedd.army.mil
Navy Representative:	LT Joy Timmens ph 202-762-3143 Jetimmens@us.med.navy.mil
Air Force Representative:	Maj Stephen Greentree ph 703-681-4445, ext 3046 Stephen.Greentree@pentagon.af.mil